


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:17-CV-17-BO

BRANCH BANKING & TRUST,)
)
Plaintiff,)
)
v.)
)
KENNETH L. DELFINO,)
)
Defendant.)

ORDER

This cause comes before the Court following its entry of an order directing Mr. Delfino to show cause why this action should not be dismissed for lack of subject matter jurisdiction. [DE 6]. Mr. Delfino, who is proceeding *pro se*, was warned that failure to comply with the Court's show cause order would result in dismissal of this action for failure to prosecute. Fed. R. Civ. P. 41(b).¹ As the docket reflects that Mr. Delfino has failed to comply with the Court's order, and as the Court's subject matter jurisdiction over this removal action is in doubt, the matter is hereby DISMISSED without prejudice.² The clerk is directed to close the file.

SO ORDERED, this 3 day of November, 2017.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE

¹ Although Mr. Delfino is listed as the defendant in the caption, in his removal documents he appeared to be attempting to raise claims against Branch Banking & Trust.

² There does not appear in the filings to be a complaint by this plaintiff against this defendant which the Court could remand to Dare County.